

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

AGWAY FARM & HOME SUPPLY,
LLC,¹

Debtor.

Chapter 11

Case No. 22-10602 (JKS)

Objection Deadline: November 28, 2022 at 4:00 p.m. (ET)

**SUMMARY OF FOURTH MONTHLY FEE APPLICATION OF FOCUS MANAGEMENT
GROUP USA INC. FINANCIAL ADVISORS TO THE DEBTOR, FOR ALLOWANCE OF
COMPENSATION FOR SERVICES RENDERED AND REIMBURSEMENT OF EXPENSES
FOR THE PERIOD FROM OCTOBER 01, 2022 THROUGH OCTOBER 30, 2022**

Name of Applicant: Focus Management Group USA Inc.

Authorized to Provide
Professional Services to: Debtor and Debtor in Possession

Date of Retention: July 5, 2022 (effective October 5, 2022)

Period for which compensation
and reimbursement is sought: October 01, 2022 through October 30, 2022

Amount of Compensation sought as actual,
reasonable and necessary
legal services rendered: \$27,217.50

Amount of Expense Reimbursement sought
as actual, reasonable and
necessary: \$52.50

This is a(n): X monthly interim final application

¹ The last four digits of the Debtor's federal tax identification number are 1247. The Debtor's address is 6606 W. Broad Street, Richmond, VA 23230. Without prejudice to seeking payment of full amount upon application.
13901067.v1

PRIOR APPLICATIONS FILED

Dated Filed	Period Covered	Requested		Approved	
		Fees	Expenses	Fees	Expenses
9/23/2022	July 5, 2022 to July 31, 2022	\$42,370.00	\$105.00	\$33,896.00 (payment of 80%)	\$105.00 (100%)
9/29/2022	August 1, 2022 to August 31, 2022	\$24,557.50	\$105.00	\$19,646.00 (payment of 80%)	\$105.00 (100%)
11/11/2022	September 1, 2022 to September 30, 2022	\$24,705.00	\$140.00	\$0.00 (payment of 80% Pending)	\$0.00 (payment of 100% Pending)
		\$91,632.50	\$ 350.00	\$53,542.00	\$ 210.00

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Obj. Deadline: November 28, 2022 at 4:00 p.m. (ET)

**FOURTH MONTHLY FEE APPLICATION OF FOCUS MANAGEMENT GROUP USA
INC., FINANCIAL ADVISOR TO THE DEBTOR, FOR ALLOWANCE OF
COMPENSATION AND REIMBURSEMENT OF EXPENSES FOR THE PERIOD
FROM OCTOBER 01, 2022 THROUGH OCTOBER 30, 2022**

Focus Management Group USA Inc (“FOCUS”), financial advisor to Agway Farm & Home Supply, LLC, the debtor and debtor in possession (the “Debtor”), hereby submits its monthly fee application (the “Application”) for entry of an order pursuant to section 331 of title 11 of the United States Code, 11 U.S.C. §§101 et seq., as amended (the “Bankruptcy Code”) granting monthly compensation in the amount of \$27,217.50 and reimbursement of expenses in the amount \$52.50 for the period from October 01, 2022 through October 30, 2022 (the “Compensation Period”), and in support thereof, FOCUS respectfully represents as follows:

JURISDICTION AND VENUE

1. This Court has jurisdiction over this Application pursuant to 28 U.S.C. §1334. This is a core proceeding pursuant to 28 U.S.C. §157(b)(2)(A) and (B).
2. Venue of this proceeding and this Application is proper in this District pursuant to 28 U.S.C. §§1408 and 1409.
3. The statutory predicate for the relief sought herein is section 331 of the Bankruptcy Code.

BACKGROUND

4. On October 5, 2022 (the “Petition Date”), the Debtor filed a voluntary petition with the United States Bankruptcy Court for the District of Delaware (the “Court”) for relief under chapter 11 of the Bankruptcy Code. The Debtor is operating its business and managing its properties as debtor-in-possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code. On July 18, 2022, an official committee of unsecured creditors (the “Committee”) was appointed in this case. No trustee or examiner has been appointed.

5. On July 13, 2022, the Debtor filed a Motion for Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals (the “Administrative Compensation Motion”) [D.I. 54]. The deadline for filing objections to the Administrative Compensation Motion was 4:00 p.m. (ET) on July 27, 2022. No objections to the Administrative Compensation Motion were filed and on October 2, 2022 the Debtor submitted its Certification of Counsel and proposed form of order approving the Administrative Compensation Motion [D.I. 103]. On October 3, this Court entered an Order granting the Administrative Compensation Motion [D.I. 114].

6. On July 13, 2022, the Debtor filed an application seeking the retention and employment of Focus Management Group USA Inc as financial advisor for the Debtor nunc pro tunc to the Petition Date [D.I. 52]. On October 03, 2022, this Court entered an Order [D.I.113] approving the retention of FOCUS as bankruptcy counsel to the Debtor nunc pro tunc to the Petition Date.

7. Attached hereto as **Exhibit A** is a full and detailed statement describing the services rendered by each professional and paraprofessional at FOCUS during the Compensation Period.

8. To apprise this Court of the services provided during the Compensation Period, FOCUS sets forth the following summary of services rendered. The summary is intended only to highlight the general categories of services performed by FOCUS on behalf of the Debtor; it is not intended to set forth each and every item of professional services which FOCUS performed.

- **Business Analysis**

This category includes time expended by FOCUS in connection with assisting the Debtor in (1) cash flow projections with variance analysis, (3) review of weekly operational expenses and (3) budgets and monitoring collections and disbursements.

FOCUS expended 36.5 hours of time for a charge of \$17,337.50 for services rendered with respect to matters relating to business analysis.

- **Business Operations**

This category includes time expended by FOCUS in connection with addressing issues related to the Debtor's business operations. Such included (1) review of various payroll and personnel matters.

FOCUS expended 3.5 hours of time for a charge of \$1,662.50 services rendered with respect to matters relating to business operations.

- **Case Administration**

This category includes time expended by FOCUS in connection with (1) prepare the monthly operating reports (MORS) for the court, and (2) participating in numerous conference calls with the Debtor addressing various case administrative matters,

FOCUS expended 17.3 hours of time for a charge of 8,217.50 for services rendered with respect to matters relating to case administration.

9. The total sum due to FOCUS for professional services rendered on behalf of the Debtor during for the Compensation Period is \$27,217.50. FOCUS submits that the professional

services it rendered on behalf of the Debtor during this time were reasonable and necessary.

10. FOCUS incurred \$52.50 of expenses during the Compensation Period. A chart detailing the specific disbursements are attached hereto as **Exhibit A**.

11. The undersigned hereby attests that he has reviewed the requirements of Local Rule 2016-1 and this Application conforms to such requirements, including that copying charges were only \$.10 per page.

WHEREFORE, FOCUS hereby requests pursuant to the procedures allowed in the Administrative Compensation Order: (i) monthly allowance of compensation for necessary and valuable professional services rendered to the Debtor in the amount of \$27,217.50 and reimbursement of expenses in the amount of \$52.50 for the period from October 1, 2022 through October 30, 2022; (ii) payment in the total amount of \$21,774.00 (representing 80% of the total fees (27,217.50) billed and 100% of the expenses \$52.50 incurred during the Application Period); and (iii) such other relief as this Court deems just and proper.

Dated: November 14, 2022

MORRIS JAMES LLP

/s/ Brya M. Keilson

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Counsel to the Debtor and Debtor in Possession

VERIFICATION

Michael Doland, after being sworn according to law, deposes and says:

- a) I am the Chief Operation Officer of Focus Management Group USA Inc.
- b) I have personally performed or am familiar with the services rendered by Focus as financial advisor to the Debtor.
- c) I have reviewed the foregoing Fee Application and the facts set forth therein are true and correct to the best of my knowledge, information, and belief. Moreover, I have reviewed Local Rule 2016-2, and submit that the Fee Application complies with such Rule.

Dated: November 14, 2022

/s/ Michael Doland
Michael Doland